

01-09-07

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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JCS  
12/28/01  
PTO

Please type a plus sign (+) inside this box [+]

**UTILITY PATENT APPLICATION TRANSMITTAL**  
(Only for new nonprovisional applications under 37 CFR 1.53(b))Attorney Docket No. 42390.P13768  
(maximum 12 characters)First Named Inventor David M. LeeTitle: METHOD FOR HANDLING UNEXPECTED COMPLETION PACKETS AND COMPLETION PACKETS WITH A NON-SUCCESSFUL COMPLETION STATUSExpress Mail Label No. EL617207725USADDRESS TO: **Assistant Commissioner for Patents**  
**Box Patent Application**  
**Washington, D. C. 20231**101040702  
U.S. PTO  
12/28/01**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)
2.  **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3.  **Specification (Total Pages 25)**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  **Drawings(s) (35 USC 113) (Total Sheets 11)**
5.  **Oath or Declaration (Total Pages 6)**
  - a.  Newly Executed (Original or Copy)
  - b.  Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
    - i.  **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
    - c.  Unsigned.
6.  **Application Data Sheet. (37 CFR 1.76)**
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.  Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statement verifying identity of above copies

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**ACCOMPANYING APPLICATION PARTS**

9. \_\_\_\_\_ **Assignment Papers (cover sheet & documents(s))**  
10. \_\_\_\_\_ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)  
\_\_\_\_\_ b. Power of Attorney  
11. \_\_\_\_\_ English Translation Document (if applicable)  
12. \_\_\_\_\_ a. Information Disclosure Statement (IDS)/PTO-1449  
\_\_\_\_\_ b. Copies of IDS Citations  
13. \_\_\_\_\_ **Preliminary Amendment**  
14.  **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**  
15. \_\_\_\_\_ Certified Copy of Priority Document(s) (if foreign priority is claimed)  
16.  **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**  
17. \_\_\_\_\_ Other: \_\_\_\_\_

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

Continuation       Divisional       Continuation-in-part (CIP)  
**Of Prior Application No.:** \_\_\_\_\_ **Examiner** \_\_\_\_\_ **Group Art Unit** \_\_\_\_\_  
(which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_,  
which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**Applicant(s):** Also include a Preliminary Amendment to amend the specification to claim priority.

For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

**19. Correspondence Address**

Customer Number or Bar Code Label \_\_\_\_\_  
or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)  
 Correspondence Address Below

NAME \_\_\_\_\_

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

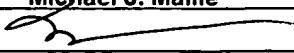
ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-8383

Name (PRINT/TYPE): Michael J. Mallie Registration No.: 36,591

Signature:  Date: December 28, 2001

**FEE TRANSMITTAL FOR FY 2002****TOTAL AMOUNT OF PAYMENT (\$)** 740.00**Complete if Known:**

Application No. \_\_\_\_\_

Filing Date December 28, 2001First Named Inventor David M. Lee

Group Art Unit \_\_\_\_\_

Examiner Name \_\_\_\_\_

Attorney Docket No. 42390.P13768**METHOD OF PAYMENT** (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
 Deposit Account Name \_\_\_\_\_

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:  Check  
 Money Order  
 Other

**FEE CALCULATION****1. BASIC FILING FEE****Large Entity      Small Entity**

Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80

Fee Description	
Utility application filing fee	
Design application filing fee	
Plant filing fee	
Reissue filing fee	
Provisional application filing fee	

Fee Paid	
<u>740.00</u>	
<u>0</u>	
<u>0</u>	
<u>0</u>	
<u>0</u>	

**SUBTOTAL (1) \$ 740.00****2. EXTRA CLAIM FEES****Extra Claims****Fee from  
below****Fee Paid**

Total Claims <u>10</u>	- 20** = <u>0</u>	X <u>18.00</u> = <u>0</u>
Independent Claims <u>3</u>	- 3** = <u>0</u>	X <u>84.00</u> = <u>0</u>
<hr/>		

**Multiple Dependent****\*\*Or number previously paid, if greater; For Reissues, see below.****Large Entity      Small Entity**

Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
103	18	203	9
102	84	202	42
104	280	204	140
109	84	209	42
110	18	210	9

Fee Description	
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Claims in excess of 20	
Independent claims in excess of 3	
Multiple dependent claim, if not paid	
**Reissue independent claims over original patent	
**Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) \$ 0**

**FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
099	8,800	099	8,800
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	400	216	200
117	920	217	460
118	1,440	218	720
128	1,960	228	980
119	320	219	160
120	320	220	160
121	280	221	140
138	1,510	138	1,510
140	110	240	55
141	1,280	241	640
142	1,280	242	640
143	460	243	230
144	620	244	310
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
146	740	246	370
148	110	248	55
149	740	249	370
179	740	279	370
169	900	169	900
195	300	195	300
196	300	196	300
194	130	194	130
098	130	098	130
091	1,280	091	1,280

**Other fee (specify)**

**SUBTOTAL (3) \$0**

**\*Reduced by Basic Filing Fee Paid**

**SUBMITTED BY:**

**Typed or Printed Name:** Michael J. Mallie

**Signature:**  **Date:** December 28, 2001

**Reg. Number:** 26-591 **Telephone Number:** (100) 700-8888

**Reg. Number:** 36,591      **Telephone Number:** (408) 720-8300

**EXPRESS MAIL CERTIFICATE OF MAILING**

"Express Mail" mailing label number: EL617207725US

Date of Deposit: December 28, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

**MELANIE LYONS**

Name of Person Failing Paper or Fee

## 7. Plan your

12-28-01

Date Signed

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor David M. Lee  
Title METHOD FOR HANDLING UNEXPECTED COMPLETION PACKETS AND COMPLETION PACKETS WITH A  
NON-SUCCESSFUL COMPLETION STATUS

Attorney Docket No. 42390.P13768

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 28, 2001

Date



Signature

Michael J. Mallie

Typed or Printed Name

36,591

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231